

RD

Today's Utah OnLine
word, effective from 7
today for 24 hours:

FRIDAY

piled by Don Robinson

T/
BUS-INFO 287-4636

TAH TODAY

in the morning, look for partly
round the region, with increasing
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m of 37 after an overnight low of
have highs of 37 and 33, respec-
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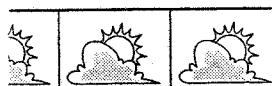
TAH TODAY

gs to reach the low to mid-50s at
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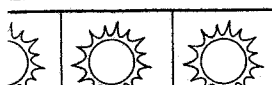
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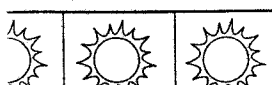
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Can Compromise Resolve Annexation Tiff?

S.L. County, Kennecott, SLC Call Truce in Battle for Tailings Site

By Chris Jorgensen
THE SALT LAKE TRIBUNE

After a week of heated exchanges, Kennecott, Salt Lake City and the Salt Lake County Commission have agreed to spend a month searching for compromises in a fight over annexation.

Kennecott Corp. wants to expand its 5,700-acre tailings pile north into an area near 7200 West and Interstate 80.

Although 900 acres of the proposed site lie within Salt Lake City limits, the city wants to annex the entire 5-mile-by-4-mile area so it can have some control over the \$500 million Kennecott project.

Most of the proposed site lies within unincorporated Salt Lake County, where commissioners say they are tired of the capital city's increasingly aggressive "land grabs."

Until this week, Kennecott tried to ignore Salt Lake City's annexation maneuvering and continued to deal with the county in obtaining a zoning change for the project.

Last week, after Kennecott hastily canceled a meeting with city officials, Ms. Corradini fired off a letter to company president Bob Cooper. She demanded the company back off its dealings with the county and threatened to "use every legal measure" at her disposal to pursue annexation.

Kennecott gave in slightly Monday by postponing its rezoning hearing with the county. But the company also issued its own threat to Ms. Corradini. If the city continues to push annexation, Kennecott would consider "disconnection," meaning it would have all of its property annexed into the county.

Here's what's at stake:

■ The proposed tailings site is zoned agricultural and is included in one of the county's "greenbelt" areas, where landowners get huge tax breaks to keep property open and green. To have that property rezoned for industrial use, Kennecott would have to pay back what has been saved during the past five years in tax rebates.

That means, whichever municipality winds up with the Kennecott site stands to gain an estimated \$5 million windfall.

■ Salt Lake City — which until recently has had a declining population — has planned for two giant subdivisions near the site that

could house as many as 100,000 new residents. It is the only area left in the city that can be used for residential development.

The new Kennecott tailings pile eventually would be 230 feet tall and run adjacent to I-80 for five miles. It also would require the relocation of railroad tracks right through the middle of the city's proposed residential development.

"You put half of that development in Kennecott's tailings dump and run a train through the other half and it would eliminate all of the potential housing in Salt Lake City south of I-80," said city planner Doug Wheelwright.

■ For Kennecott, there is no other "practical" place left in the valley to pile mine tailings, said the company's government relations director, Drew Hunter. The site is also the only one big enough to serve Kennecott until the company's ore deposits are all mined out in the next 20 years.

Until then, Kennecott wants to stay in the county for several reasons. The property-tax rate in the county is about half that in the city. And, as Mr. Hunter puts it, the people in the county have grown up with Kennecott and understand what the company needs.

Utah Supreme Court to Study IHC, Tax Commission Dispute

By Sheila R. McCann
THE SALT LAKE TRIBUNE

Intermountain Health Care Inc. argues its charity care helps thousands of needy Utahns annually and merits a break from paying county property taxes.

Three county assessors retort the charity does not come from IHC at all — it comes from patients and insurance companies who pay for treatment.

Utah Supreme Court justices heard arguments in the long-running debate Tuesday.

They now will scrutinize the Utah State Tax Commission's standards, under which the medical network is now exempt from paying property taxes. The justices will rule later whether the

entity would be excluded from property-tax rolls if it is used exclusively for charitable purposes.

The tax commission's standards for determining charity include nondiscrimination in the treatment of patients; a requirement that each hospital's total gift to its community exceeds its potential property-tax tab; and a prohibition against individuals earning a profit.

Lawyer Bill T. Peters, who represents the assessors of Salt Lake, Utah, and Cache counties, said the standards are flawed because they ignore the commercial activity of the hospitals. There are nine IHC hospital in those three counties.

Mr. Peters argued IHC's rate

Mr. Peters said.

IHC attorney Alan L. Sullivan said IHC hospitals are "a conduit for the community's desire to take care of its own." The justices should adopt a broader definition of charity to encourage hospitals to care for the indigent, he argued.

Utah's requirements for the charitable tax exemption are the most rigorous in the nation, but they are reasonable and constitutional, he said.

Mr. Sullivan urged the court to uphold the tax commission's standards and "resist the assessors' efforts to strangle charity."

In 1992, the IHC network donated \$22 million in care for 48,000 patients and estimated its "total gift to the community" at \$140 million. That same year, IHC's two dozen hospitals, clinics, and other agencies had net revenues of \$951 million.

During Tuesday's arguments, Court of Appeals Judge Gregory



Steve Griffin/The Salt Lake Tribune

prosecutors allege a 7-year-old girl was fondled at Franklin Elementary School while Mr. Swensen sat next to her and read a book to the class.

The charges also allege the suspect touched a 9-year-old girl's genitals, breasts and buttocks several times Nov. 17 at Backman Elementary. He later told her he was sorry.

Prosecutors screened the case with police more than a month ago, but they felt the investigation needed additional work, said Mr. Yocom.

Mr. Yocom had a meeting Monday with more than 60 parents, school officials and

be given the chance to review the findings.

"I will be surprised if there's any real resistance to it," Mr. Carnahan said. "It's not a radical change that opens records indiscriminately."

police to discuss the investigation.

"We answered a lot of questions," said Mr. Yocom. "There was a lot of factual information given out. To call them all in as a group saved time."

Mr. Swensen will be assigned a preliminary hearing on Jan. 18.

Drum Gets Execution Asbestos

By Baltezure
LAKE TRIBUNE

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de C-2, Column 4

Proposed Expansion Of Kennecott Tailings Site Stirring Up Dust

By Chris Jorgensen
THE SALT LAKE TRIBUNE

The last thing Salt Lake City wants on its doorstep is a 230-foot-high, five-mile-long mountain of industrial waste, says Mayor Deedee Corradini.

That is what Kennecott has proposed in a \$500 million project that would nearly double the mining company's 5,700-acre tailings pile. The proposed expansion would reach Interstate 80 and 7200 West.

Ms. Corradini is not against the project but wants to annex the site so the city can have some control. While most of the 4,100-acre proposed tailings site is in the unincorporated county, 900 acres are on city property.

The mayor fears the mammoth tailings pile could foul city plans to develop the area into a residential neighborhood. The northwest quadrant is the city's next residential frontier with room for more than 100,000 new tax-paying residents.

A tailings pile adjacent to I-80 also would leave a bad impression with travelers passing through "the gateway to the city," she said.

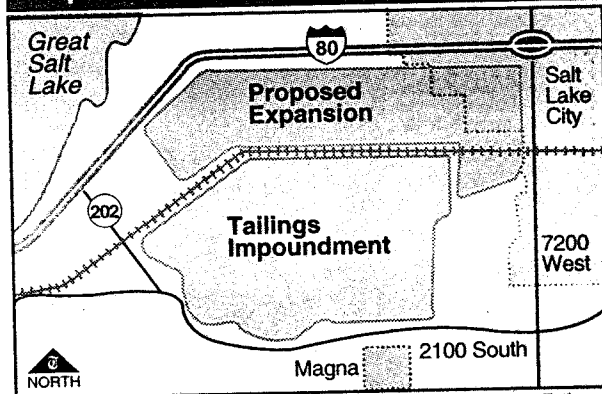
But Kennecott vigorously has resisted annexation, which city planner Doug Wheelwright claims is illegal. And company officials have ignored the city's input, added Ms. Corradini, and lately refused even to discuss the matter.

"I'm dismayed that we have been left out of this entire planning process," the mayor grumbled Friday.

Drew Hunter, Kennecott's director of government affairs, said Ms. Corradini's complaints are "bizarre." City officials have known about the company's intentions for three years and have been included in numerous discussions, he said.

"This is a big project that will require more than 30 different permits," he said. "We've been in contact with everyone involved."

Proposed Kennecott Tailings Expansion



Rhonda Hailes / The Salt Lake Tribune

Ms. Corradini said Kennecott is legally obligated to apply to the city for annexation because the tailings project is valued at more than \$750,000 and within one-half mile of the city's border. Kennecott officials say that law only applies to developments that require municipal services such as police. Kennecott provides its own public safety crews.

The dispute, however, doesn't end there. Salt Lake County Commissioner Jim Bradley views Ms. Corradini's annexation attempt as a money-grubbing land grab.

"It makes no sense whatsoever other than the city is looking for the [tax] revenues," he said.

Kennecott would be better off staying in the county where property taxes are less than in the city, said Mr. Bradley. Kennecott officials told Ms. Corradini the company would have to pay an extra \$5 million a year in taxes to be in the city.

According to records on the company's existing tailings pile, the additional taxes only would be about \$30,000 a year, the mayor replied. She called the company's bluff on the \$5 million figure, "and they said nothing."

The county will do its own number crunching to discover the real numbers, said Mr. Bradley.

Regardless of the tax question, Kennecott executives would rather do business with county officials.

"The county people have grown up interacting with Kennecott," said Mr. Hunter. "They understand our operation and what is important."

Indian Celebration:
drumming and dances,
Indian Walk-In Center,
South, Salt Lake City.
\$1; kids under 6, free.

Utah Index:
\$7.16 — Utah cost of energy, per million British
Thermal Units (BTU), 1990.
\$8.43 — National BTU cost.

Source: State Rankings, 1993.

Last Word:

"We cannot hope to scale great moral heights by ignoring petty obligations."
— Agnes Repplier, *Americans and Others* (1912).

S.L. TRIBUNE SAT. JAN. 8, 1994

W/035/002